

REMARKS

This Amendment is in response to a non-final Office action (Paper No. 05012005 *hereinafter* “the present Office action”) dated 5 May 2005. Upon entry of this amendment, claims 1-5, 14-24 and 26-41 will be pending. Applicant has amended claim 3, canceled claim 25 without prejudice or disclaimer as to its subject matter and newly added claims 38-41 by this amendment.

In the present Office action, the Examiner rejected claims 3 and 25 under 35 U.S.C. 112, second paragraph. Applicant has amended claim 3 and canceled claim 25 by this amendment making this rejection moot.

In the present Office action, the Examiner has rejected claims 1, 16, 18, 21, 25 and 26 under 35 U.S.C. 102 (e) as being anticipated newly applied USP 6,230,285 to Sadowsky et al. The Examiner also rejected claims 2, 22-24, 27-31, 34-35 and 37 under 35 U.S.C. 103 (a) as being unpatentable over Sadowsky ‘285 in view of USP 6,122,734 to Jeon. Applicant has the following comments.

Applicant’s present patent application, 09/221,475 was filed in the U.S. Patent Office on December 28, 1998. 09/221,475 claims priority to Korean 97-74450, 97-74451 and 97-74453 filed in the Korean Patent Office on December 26, 1997 and Korean 98-22575 filed in the Korean Patent Office on June 16, 1998. Sadowsky ‘285 was filed in the U.S. Patent Office on September 8, 1998. Thus, Applicant could easily choose to overcome the prior art rejections of the present Office action

merely by perfecting his claim of priority. However, instead, Applicant now will explain why the prior art rejections of the present Office action are without merit.

Applicant's claimed invention pertains to a method and apparatus for repairing conflicts on a personal computer when the personal computer is fully booted up and an operating system with a graphical user interface (GUI) is running (see Applicant's claims 16, 27 and 28, for example). In other words, the conflict detection and repair of Applicant's invention occurs after a successful boot. Although Applicant's invention may also have the feature of a boot image used to boot a computer, the conflict detection and conflict repair occur when the operating system is fully running.

As the title of Sadowsky '285 states, Sadowsky '285 pertains to boot failure recovery. The features of Sadowsky '285 are used when a computer cannot successfully boot. The programs of Sadowsky '285 (especially FIGS. 3 and 4 of Sadowsky) are not run from a GUI when a computer is fully booted. Instead, the programs of Sadowsky '285 are run from DOS (see column 4, lines 40-44 of Sadowsky and steps 32, 44, 56 and 76 of Sadowsky for example), which is not a GUI. Further, the recovery of Sadowsky '285 is limited only to problems that prevent the computer from booting to desktop. Sadowsky '285 does not pertain to recovery from problems that do not prevent a computer from fully booting up to a graphical user interface. Because of these dissimilarities between Applicant's claimed invention and that of Sadowsky '285, Applicant submits that the purpose and construction of Sadowsky '285 is entirely unrelated to that of Applicant's claimed invention.

Furthermore, regarding Applicant's claim 1, Applicant claims "a program image consisting of an operating system and application programs ... and a list of the operating system and application programs". In the present Office action, the Examiner states that this is taught by col 4, lines 39-66 of Sadowsky. Applicant disagrees.

Col 4, lines 39-66 of Sadowsky pertains to a description of the flow chart of FIG. 4 of Sadowsky. FIG. 4 of Sadowsky is a program used to find an error in the most recent boot attempt by examining events that occurred since the last successful boot. The routine of FIG. 4 is an unsophisticated DOS type program. Applicant submits that the routine of FIG. 4 therefore lacks the sophistication of a program image with application programs.

Applicant also submits that a program "image" as claimed by Applicant is by definition something from RAM or main memory that is then transferred to ordinary hard disk memory. Applicant submits that the routine of FIG. 4 of Sadowsky and the accompanying test of col 4, lines 39-66 shows no evidence of being originally derived from a RAM or a main memory.

Again regarding claim 1, Applicant claims "a code means (b) for repairing damaged files in the auxiliary memory unit using the program image". In the present Office action, the Examiner states that this is taught by col 4, lines 9-38 of Sadowsky. Applicant disagrees.

Column 4, lines 9-38 of Sadowsky describe FIG. 3 of Sadowsky which describes the boot check module 20. FIG. 3 and col 4, lines 9-38 of Sadowsky merely discuss whether boot code 16,

boot guard partition 26 or a rescue disk is to be used to boot the computer. Applicant submits that FIG. 3 and col 4, lines 9-38 of Sadowsky has absolutely nothing to do with repairing damaged files. Therefore, not only is the basic concept of Sadowsky entirely unrelated to that of Applicant's claimed invention, specific limitations in Applicant's claims cannot be found in the applied prior art.

Applicant has newly added claims 38-41 by this amendment to further distinguish Applicant's invention. These claims claim that the GUI is desktop and that the returning step of claim 16 is not a boot. They also claim that the conflicts do not prevent the computer from booting. Entry of and favorable examination of these claims is respectfully requested.

A fee of \$150 is incurred by the addition of three (3) claims in excess of 20. Applicant's check drawn to the order of Commissioner accompanies this Response. Should the check become lost, be deficient in payment, or should other fees be incurred, the Commissioner is authorized to charge Deposit Account No. 02-4943 of Applicant's undersigned attorney in the amount of such fees. No fees are incurred by the filing of this amendment.

In view of the above, all claims are deemed to be allowable and this application is believed to be in condition to be passed to issue. Reconsideration of the rejections and objections is requested. Should any questions remain unresolved, the Examiner is requested to telephone Applicant's attorney.

Respectfully submitted,



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